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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,589	11/24/2003	Christine Le Draoullec	245513US41X CONT	1221
22850	7590	06/30/2004		
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER GIBSON, ERIC M	
			ART UNIT	PAPER NUMBER
			3661	

DATE MAILED: 06/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/718,588	Applicant(s) LE DRAOULLEC ET AL.	
	Examiner Eric M Gibson	Art Unit 3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-10 and 12-14 is/are rejected.
- 7) ☒ Claim(s) 7 and 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/073,983.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/19/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to because the boxes in figure 1 require descriptive labels. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Information Disclosure Statement

2. The IDS filed 4/19/2004 does not contain a list of the references cited in the prosecution of the parent application. The Examiner has listed the references on the attached PTO-892, but no copy of the references will be included.

Specification

3. The disclosure is objected to because of the following informalities: The current status of all nonprovisional parent applications referenced should be included.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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4. Claims 1-3, 8-10 and 12-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Records et al. (US005522026A).

a. As per claim 1, Records teaches a method for monitoring a plurality of systems of an aircraft including monitoring the systems and detecting a failure (14, figure 1), displaying information including at least one failure condition and a list of tasks to be performed to address a detected failure (column 12, lines 59-63) including tasks already performed (column 13, lines 9-11) and tasks to be performed (column 12, lines 64-65) and inputting information indicating that a task has been completed (column 13, lines 16-17).

b. As per claim 2, Records teaches highlighting the next task to be performed (column 12, line 63).

c. As per claim 3, Records teaches an indicator for indicating that all of the tasks in the list have been performed (column 13, lines 26-29).

d. As per claim 8, Records teaches manually informing about a failure and instructing the display of a list of tasks corresponding to the failure (column 12, lines 37-56).

e. As per claim 9, Records teaches requesting additional information corresponding to the failure condition and displaying the information (column 14, lines 26-32).

f. As per claim 10, Records teaches deferring actions (column 15, lines 20-43).

- g. As per claim 12, Records teaches displaying the status of the system (column 8, lines 55-57).
- h. As per claim 13, Records teaches listing the items in order of priority (column 17, line 42 – column 19, line 6).
- i. As per claim 14, Records teaches deleting items from the display (column 16, lines 3-5).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Records in view of Lancki (US006097998A) ^{and} the Honeywell Primus Epic (Epic) avionics system (Al Ditter, An Epic in the Making, Commuter World, December 1996-January

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1997, pages 16, 18-21; William B. Scott, Pentium Powers 'Epic' Integrated Avionics, Aviation Week & Space Technology, November 18, 1996, pages 67-69; James Holahan, LCDs, Mice on the Flight Deck!, Aviation International News, November 1, 1996, pages 56-58; Fred George, Introducing Primus Epic, Business & Commercial Aviation, November 1996, pages 116, 118-120).

a. As per claim 4, Records teaches the invention as explained in the rejection of claim 1. Records does not teach displaying the failure in the form of a block diagram. However, Records does indicate that the disclosed invention could be implemented with different graphical means of indicating the status of an item (column 21, lines 24-26). Lancki teaches a method and apparatus for graphically monitoring and displaying fault data, including a graphical representation of the monitored system (column 2, lines 64-66) in order to graphically display both the presence and location of faults and for selectively displaying textual fault information (column 3, lines 49-52). The graphical presentation taught by Lancki is a known alternative in the art that indicates the status of a fault using a graphical representation of the system, furthermore, the Epic System provides motivation to apply the graphical representation to the aviation art (see the Ditter article, p. 20, first ¶), therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to use the graphical representation of a system fault in the system of Records, as an alternative graphical means of indicating a fault, as contemplated by Records and taught by Lancki.

b. As per claim 5, Lancki teaches highlighting the component of the system corresponding to the fault (column 8, lines 1-10).

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6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Records in view of Jeffrey et al. (EP0974885A1).

a. As per claim 6, Records teaches the invention as explained in the rejection of claim 1. Records does not teach selecting one failure condition and displaying the tasks associated with the selected failure, teaching instead a list that contains all the tasks associated with all failure conditions. Jeffrey teaches an electronic checklist system according to the system of Records, which further includes the ability to select one failure condition from multiple failure conditions and display only the tasks associated with that failure (column 16, lines 54-58). It would have been obvious to one of ordinary skill in the art, at the time of invention, to select one failure condition from multiple failure conditions and display only the tasks associated with that failure, as taught by Jeffrey as an improvement over the system taught by Records.

Allowable Subject Matter

7. Claims 7 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

a. As per claim 7, the prior art does not teach or reasonably suggest in combination the present invention including undoing a selected failure condition and recalling the undone failure condition as claimed.

b. As per claim 11, the prior art does not teach or reasonably suggest in combination the present invention including deleting a failure condition and recalling one or all of the previously deleted failure conditions.

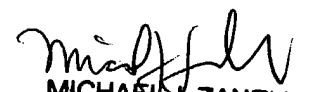
Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Briffe et al. (US006038498A) teaches an apparatus and method for aircraft monitoring and control including electronic checklist management. Rauch (US004635030A) teaches a status display system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric M Gibson whose telephone number is (703) 306-4545. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (703) 305-8233. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


MICHAEL J. ZANELLI
PRIMARY EXAMINER